

Remarks

Status of the Claims

PCT Claims 1-10 are cancelled. Claims 11-27 are added and renumbered as Claims 1-17 in the substitute specification. Accordingly, Claims 1-17 are pending.

New Claims

PCT Claims 1-10 are cancelled and replaced with new Claims 11-27 (renumbered as claims 1-17 in the substitute specification) to correct grammatical and syntactical errors and to place the claims in U.S. format. The subject matter and scope of new Claims 1-17 correspond generally to cancelled PCT Claims 1-10. No new matter is added.

Amendments to the Specification

A Marked-up Specification and Substitute Specification are attached hereto.

In summary, the title has been amended, and several new headings and section paragraphs have been added. The specification is also amended to include a claim to priority. Support for the amendments is found throughout the originally-filed specification. No new matter is added.

Incorporation by Reference under 37 C.F.R. §1.57 (effective September 21, 2004)

The International Application (IA) was filed with the European Patent Office on October 14, 2005, with page 3 inadvertently omitted. The prior-filed application (DE 102004051280.9, filed October 21, 2004) from which the IA claimed priority contains the entire text missing from the IA. The specification is amended to include a claim to priority and the text missing from the IA.

Enclosed herewith is a certified copy of the prior-filed application (priority document), a copy of an accurate, English-language translation of the priority document, and a copy of the IA as filed (in German). The entire text missing from the IA is found in the priority document on page 3, line 6 to page 4, line 7. In the English-language

translation of the priority document, the missing text is found on page 3, line 15 to page 4, line 23. With the exception of the missing text, the IA has the same text as the priority document. Referring to the English-language translation, additional support for the added missing text is found throughout the specification, and particularly on page 5, lines 16-22 (Formula II), in the Examples (pages 9-14) and the original claims, particularly Claims 2-4, 8 and 16.

By way of Preliminary Amendment, the inadvertently omitted text (from the IA) is inserted herein as an incorporation by reference under 37 C.F.R. § 1.57(a) of the priority document as to the inadvertently omitted portion of the IA. Since 37 C.F.R. § 1.57(a) applies to applications filed on or after September 21, 2004, amending the specification to include inadvertently omitted material, including amendments to an IA under 37 C.F.R. § 1.57(a)(2), is proper. As required by 37 C.F.R. § 1.57(a), a claim for priority of the prior-filed foreign application and the prior-filed international application designating the U.S. under 37 C.F.R. §§ 1.55 and 1.78 is made in the application herewith. Accordingly, the inclusion of the missing text herein is not new matter. Entry of the amendments is respectfully requested.

Conclusion

The amendments to the specification and claims made herein are proper and entry is respectfully requested. Early examination of the substitute specification is respectfully requested.

Respectfully submitted,  
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- Encl. 1. Marked-up Specification  
2. Substitute Specification  
3. International Application  
4. Certified copy of DE 102004051280.9 (priority document)  
5. Translation of priority document